

## **EXHIBIT A**

STATE OF INDIANA	)	IN THE SPENCER COUNTY COURT
	)SS:	
COUNTY OF SPENCER	)	CAUSE NO. <u>74C01-2206-CT-000246</u>
WILLIAM ALLEN, and	)	
ELIZABETH ALLEN,	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
LIGHTNING XPRESS, INC.,	)	
	)	
Defendant.	)	

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**COMPLAINT FOR DAMAGES**

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Comes now Plaintiffs William Allen and Elizabeth Allen (hereinafter “Plaintiffs”), by Counsel, and for their Complaint for Damages against Defendant Lightning Xpress, Inc. (hereinafter “Defendant”), alleges and states:

1. At all times relevant herein, Plaintiffs were residents of 6203 Birkdale Drive, Evansville, Vanderburgh County, Indiana.
2. At all times relevant herein, Defendant, was a business with its principal office and registered agent located at 22205 Park Street, Dearborn, Wayne County, Michigan.
3. On or about March 10, 2021, at approximately 11:00 A.M., Plaintiff William Allen was loading Defendant’s semi-trailer with food products at Hoople’s Country Kitchen Warehouse located at 714 North 5<sup>th</sup> Street, Rockport, Spencer County, Indiana.
4. To load the semi-trailer, Plaintiff William Allen drove a forklift from the loading dock and into the Defendant’s semi-trailer operated by one of Defendant’s driver-employees.

5. At the same time and place, the Defendant's semitruck pulled away from the loading dock as Plaintiff William Allen was driving into Defendant's semi-trailer.

6. When Defendant's employee-driver pulled away from the loading dock, Plaintiff William Allen and the forklift fell from the loading dock onto the ground ramp, pinning Plaintiff William Allen and the forklift between the semitruck and the wall of the loading dock.

7. The semitruck and semi-trailer are owned and operated by Defendant and their employees.

8. The above-described incident was a direct and proximate result of the careless and negligent acts and omissions of the Defendant including but not limited to, failure to follow docking instructions given by Plaintiff William Allen and failure to dock the semitruck in a safe and reasonable manner.

9. As a direct and proximate result of the careless and negligent acts and omissions of Defendant, Plaintiff William Allen has sustained serious and permanent injuries. Plaintiff William Allen has incurred doctor, hospital, and medical expenses, and will continue to incur doctor, hospital, and medical expenses in the future as a result of his injuries. He has incurred miscellaneous and incidental expenses and will continue to incur miscellaneous and incidental expenses in the future as a result of his injuries. He has endured pain, suffering, and mental anguish, and may continue to endure pain, suffering, and mental anguish as a result of his injuries. His ability to function as a whole person has been affected. He has lost wages and may continue to lose wages in the future as a result of this incident.

10. At all times relevant hereto, Plaintiff Elizabeth Allen was and is the spouse of the Plaintiff William Allen.

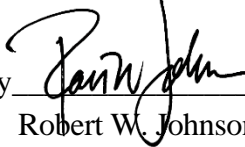
11. As a direct and proximate result of the carelessness and negligence of Defendant, Plaintiff Elizabeth Allen sustained damages. She has incurred incidental expenses as a result of the injuries to her husband. She has lost the value of his services and consortium, and she will lose the value of some of his services and consortium in the future.

**WHEREFORE**, Plaintiffs pray for damages against the Defendant in an amount which will fully and fairly compensate him for the damages sustained, for costs of this action, for pre-judgment interest and for all just and proper relief in the premises.

### **III. Demand for Jury Trial**

Plaintiffs request a trial by jury.

Respectfully Submitted,

By 

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